RHODE ISLAND RESOURCE RECOVERY CORPORATION
BUSINESS MEETING
WEDNESDAY, APRIL 19, 2006
12:00 NOON
65 SHUN PIKE
JOHNSTON, RI 02919

I. Attendance

A. Austin Ferland, Chairman and CEO
Michael Salvadore, Treasurer
Ken Aurecchia
Jerry Williams
Mayor Scott Avedisian

II. Staff Present

Sherry Mulhearn, Executive Director
James Allam, Deputy Executive
Dennis aRusso, Operations Manager
Patrick McQueeney, Chief of Security
Michael Mesolella, Recycling Coordinator
Claude Cote, Director of Regulatory Compliance
John Trevor, Recycling Manager
Bill Anderson, Engineering Manager
Patricia Cerbo, Purchasing Manager

Joe Rotella, ECO Depot Manager Sharon D'Angelo, Administrative Manager

Others Present

Charles Francis, CBRE
Robert Rydell, Scannell
Randall Holmes, Ridgewood
Laurie Brayton, Senate Fiscal Office
John Merritt, Merritt Communications Inc.
David Stukus, Turner Waste
John Weigold, Converted Organics
David Darlington, Gildea, O'Connell
Mayor Charles Moreau, City of Central Falls
Ken Slowik, City of Central Falls
Michael D'Ambra, D'Ambra Construction
Michael D. D'Ambra, D'Ambra Construction
Chris Feeney, LBG
Louis Ragozzino, Louis Berger Group
John Rambone, Rambone Disposal

III. Agenda Items

1. Call to Order – Chairman Ferland called the meeting to order at 12:20 p.m.

2. Minutes of the Meeting

Michael Salvadore made the following motion:

THAT THE READING OF THE MINUTES BE WAIVED AND FURTHER THAT THE MINUTES OF THE PREVIOUS MEETING OF THE OPEN SESSION AND THE EXECUTIVE SESSION HELD ON DECEMBER 6, 2006 BE ACCEPTED AND APPROVED AS RESENTED TO EACH COMMISSIONER TODAY.

Ken Aurecchia seconded the motion which passed unanimously.

3. Set the Next Meeting

No date was scheduled

The Chairman opened the meeting to questions or comments. David Stukis from Turner Waste stated that he would like to be considered for the Mattress Removal and Recycling bid that was being awarded today.

4. Oath of Office to Scott Avedisian

Scott Avedisian took the oath of Office of Commissioner of the Rhode Island Resource Recovery Corporation.

5. Contracts

a) Hay Bales – Bill Anderson reported that bids were solicited on January 30, 2006 for a contractor to supply and deliver a minimum of 40,000 linear feet of hay bales and stakes up to a maximum of 90,000 linear feet. A public bid opening was held on February 20, 2006. Notice pf solicitation appeared in the Providence Journal, New England Construction News and the State's electronic bulletin board. There were 21 recipients of the bid and three respondents. Bidders were required to submit a unit and total price for supply and delivery of a minimum of 40,000 linear feet of hay bales and stakes. Following an evaluation of the bids received and based on the lowest responsive and responsible bidder, the Staff evaluation committee recommends awarding this contract to Baldwin Farms, Inc.

Jerry Williams made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR SUPPLY AND DELIVERY OF A MINIMUM OF 4,000 LINEAR FEET OF HAY BALES AND STATED UP TO A MAXIMUM OF 90,000 LINEAR FEET, AS SPECIFIED IN IFB NO. 732, WITH BALDWIN FARMS INC. OF JOHNSTON, RI FOR A PERIOD COMMENCING UPON CONTRACT EXECUTION AND EXPIRING ON JUNE 30, 2007, FOR A TOTAL NOT

TO EXCEED PRICE OF \$136,755.00 BASED ON THE MAXIMUM LINEAR FOOTAGE WHICH INCLUDES THE FUEL SURCHARGE. THE CORPORATION RESERVES THE RIGHT TO RENEW THE CONTRACTUAL AGREEMENT UNDER THE SAME TERMS AND CONDITIONS FOR TWO ADDITIONAL ONE YEAR PERIODS.

Michael Salvadore seconded the motion which passed unanimously.

b) Leachate Pretreatment Facility and RIPDES Maintenance – Bill Anderson reported that on November 1, 2005 the Corporation issued RFQ/RFP No. 849 for competitive Procurement of a qualified company to perform Leachate Pretreatment Facility and RIPDES maintenance services. A pre-proposal conference was held on November 9, 2005. Notice appeared in the Providence Journal, Dodge report, New England Construction New and the RIVIP. There were 13 recipients of the proposal and one respondent. After review of the experience, expertise and qualification, an evaluation of the technical proposal and consideration of the price proposal submitted, the Staff Evaluation Committee recommends awarding the contract to Inland Waters, Inc.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR

THE SERVICES OUTLINED IN RFQ/RFP NO. 855 – LEACHATE PRETREATMENT FACILITY AND RIPDES MAINTENANCE WITH INLAND WATERS, INC. OF JOHNSTON, RI FOR AN AMOUNT NOT TO EXCEED \$650,000.00. THE CONTRACT WILL COVER THE PERIOD FROM NOVEMBER 1, 2005 TO JUNE 30, 2006.

c) Aerial Photography and Photogram metric Mapping – Bill Anderson reported that on January 6, 2006, the Corporation issued RFQ/RFQ No. 856 for the competitive procurement of a qualified company to provide Aerial Photography and Photogrammetric Mapping Services for an area encompassing all of the Corporation's property. A pre-proposal conference was held on January 19, 2006. Notice of solicitation appeared in the Providence Journal as well as being listed on the State's Electronic Bulletin Board. There were 33 recipients of the RFQ/RFP. There were two respondents. After reviews of the experience, expertise and qualifications demonstrated by each respondent and consideration of the price proposal by each respondent the staff evaluation committee recommends awarding the project to Chas H. Sells, Inc.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR 2006 AERIAL PHOTOGRAPHY AND PHOTOGRAMMETRIC MAPPING

SERVICES (RFQ/RFP NO. 856) WITH CHAS H. SELLS, INC. OF CHARLTON, MA FOR A TOTAL NOT TO EXCEED AMOUNT OF \$22,835.00.

Scott Avedisian seconded the motion which passed unanimously.

d) Sedimentation Pond 3 Dredging – Bill Anderson reported that bids were solicited on November 14, 2005 for the dredging of Sedimentation Pond 3. A pre-bid conference was held on November 23, 2005 and a public bid opening was held on December 9, 2005. Notice of solicitation appeared in the Providence Journal on November 14, 2005 as well as the Dodge Reports and the New England Construction News and RIVIP. There were 9 recipients of the bid and six respondents. Following an evaluation of the bids received and based on the lowest responsive and responsible bidder, the combined PARE and Staff Evaluation Committee recommends awarding this contract to J.H. Lynch & Sons of Cumberland, RI.

Jerry Williams made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR DREDGING OF SEDIMENTATION POND 3 AS SPECIFIED IN IFB NO. 726 WITH J.H. LYNCH & SONS, INC. OF CUMBERLAND, RI FOR A PERIOD COMMENCING AT THE "NOTICE TO PROCEED" AND

EXPIRING ON NOVEMBER 15, 2006, FOR A TOTAL NOT TO EXCEED PRICE OF \$79,800.00.

Scott Avedisian seconded the motion which passed unanimously.

e) Sale of Surplus/Used Vehicles & Equipment – Dennis aRusso reported that bids were solicited on January 31 2006 for the sale of various surplus and used equipment. This procurement appeared in the Providence Journal and was placed on the State's electronic bulletin board. Notice of this solicitation was also sent to the Dodge Report. The Invitation for bids was mailed to 38 vendors. There were 9 respondents. Following and evaluation of the bids received and based upon the lowest responsive and responsible bidder, the Staff evaluation committee recommends splitting the contract.

Scott Avedisian made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SALE OF A 91 CAT COMPACTOR 826C (C-2) 96 FORD BRONCO XL, (UT-1) 95 FORD BRONCO XL (UT7), 96 FORD BRONCO XL (UT14) FORD ECOLINE VAN (V-2) AND A MACK WATER TRUCK (IFB 735) BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND HAL'S GARAGE OF NORTH SCITUATE, RI FOR THE PURCHASE AMOUNT OF \$1652.00 BE IT RESOLVED THAT THE BOARD OF

COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SALE OF A 98 CAT D 350E DUMP (T-1), 98 CAT BULLDOZER D8R (BD-6) 96 CAT COMPACTOR 826C (C-5) AND 96 TROMMEL MODEL 830 (SCR-2) (IFB 735) BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND MARCEL EQUIPMENT LTD OF LONDON, ONTARIO CANADA FOR THE PURCHASE AMOUNT OF \$206,822.00. BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SALE OF A 2002 BL PEGSON ROCK CRUSHER (RC-1) (IFB 735) BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND PATRIOT HAULING COMPANY, INC. OF JOHNSTON, RI FOR THE PURCHASE AMOUNT OF \$151,723.00. BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SALE OF A 92 CBI GRINDER 4860 (GR-2) AND 95 DIAMOND Z GRINDER 1260 (GR-4) (IFB 735) BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND RJ POIRIER HEAVY EQUIPMENT REPAIR INC OF BRIMFIELD, MA FOR THE PURCHASE AMOUNT OF \$49,250.00. BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE ALE OF A 91 HY-ROLLER WOOD CHIPPER (CH-1) (IFB 735) BETWEEN RHODE ISLAND

RESOURCE RECOVERY CORPORATION AND J. RUOTOLO CONSTRUCTION, INC. OF SMITHFIELD, RI FOR THE PURCHASE AMOUNT OF \$3,200.00.

Jerry Williams seconded the motion which passed unanimously.

f) Off Road Diesel Fuel – Dennis aRusso reported that on April 29, 2004, the Corporation issued a bid for the supply and delivery of off road diesel fuel. A contract was awarded t Brennan Oil Company of North Providence with an option to renew under the same terms and conditions for two additional one year periods. On April 29, 2005 a renewal of the contract for the first term for the period July 1, 2005 to June 30, 2006 was entered. Based on the continued satisfactory performance of Brennan Oil, the vendor's rates remain competitive and the vendor's willingness to renew the contract under the same terms and conditions it was recommended that the final term be entered into.

Scott Avedisian made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A RENEWAL AGREEMENT FOR THE PURCHASE OF OFF ROAD DIESEL FUEL (IFB NO. 677) BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND BRENNAN OIL COMPANY, INC. OF NORTH PROVIDENCE, RI FOR AN

AMOUNT NOT TO EXCEED \$1,000,000.00. THE RENEWAL TERM SHALL BEGIN JULY 1, 2006 AND CONTINUE UNTIL NO LATER THAN JUNE 30, 2007.

Jerry Williams seconded the motion which passed unanimously.

g) Tire and Tire Repair – Dennis aRusso reported that the Corporation issued a bid for the supply and delivery of tires and tire repairs. A contact was awarded to Ocean State Tire Company for the period from July 1, 2004 to June 30, 2005 with an option to renew the contract under the same terms and conditions for two additional one-year periods. On May 26, 2005 the Board of Commissioners approved the renewal of the contract for the first renewal period from July 1, 2005 to June 30, 2006. Based on the continued satisfactory performance of Ocean State Tire Company, Inc. and the fact that the vendor's rates remain competitive and they have a willingness to renew the contract under the same terms and conditions it was recommended that the second and final terms be entered.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A RENEWAL AGREEMENT FOR THE SUPPLY AND DELIVERY OF TIRE AND TIRE REPAIRS (IFB NO. 683) BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION

AND OCEAN STATE TIRE COMPANY, INC. OF JOHNSTON, RI FOR AN AMOUNT NOT TO EXCEED \$500,000.00. THE RENEWAL TERM SHALL BEGIN JULY 1, 2006 AND CONTINUE UNTIL NO LATER THAN JUNE 30, 2007.

Ken Aurecchia seconded the motion which passed unanimously.

h) VME Parts and Service – Dennis aRusso reported that on April 28, 2004 the Corporation issued an IFB for the supply and delivery of VME parts and service. A contract was awarded to Woodco Machinery Inc. for the period July 1, 2004 to June 30, 2005 with an option to renew under the same terms and conditions for an additional two one-year periods. Based on the continued satisfactory performance of Woodco Machinery, Inc. the fact that the vendor's rates remain competitive and the vendor's willingness to renew the contact under the same terms and condition, it was recommended that the contract be renewed for the second and final term.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A RENEWAL AGREEMENT FOR THE SUPPLY AND DELIVERY OF VME PARTS AND SERVICE BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND WOODCO MACHINERY INC. OF WOBURN, MA FOR AN AMOUNT NOT

TO EXCEED \$375,000.00. THE RENEWAL TERM SHALL BEGIN JULY 1, 2006 AND CONTINUE UNTIL NO LATER THAN JUNE 30, 2007.

Ken Aurecchia seconded the motion which passed unanimously.

i) Komatsu Parts and Service – Dennis aRusso reported that the Corporation issued IFB NO. 690 for the supply and delivery of Komatsu parts and service. A contract in the amount of \$275,000. was awarded to CN Wood Company, Inc. for the period July 1, 2004 to June 30, 2005 with an option to renew the contract under the same terms and conditions for two additional one year periods. On May 26, 2005 the Board of Commissioners approved the renewal of the contract for the first renewal term for the period from July 1, 2005 to June 30, 2006 in the amount of \$200,000. Based on the continued satisfactory performance of CN Wood Company, Inc. the fact that the Vendor's rates remain competitive and the Vendor's willingness to renew the contract under the same terms and conditions it was recommended that the second and final term be entered.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTIRE INTO A RENEWAL AGREEMENT FOR THE SUPPLY AND DELIVERY OF KOMATSU PARTS AND SERVICE (IFB 690) BETWEEN RHODE ISLAND RESOURCE RECOVERY

CORPORATION AND CN WOOD COMPANY, INC. OF WOBURN, MA FOR AN AMOUNT NOT TO EXCEED \$225,000.00. THE RENEWAL TERM SHALL BEGIN JULY 1, 2006 AND CONTINUE UNTIL NO LATER THAN JUNE 30, 2007.

Scott Avedisian seconded the motion which passed unanimously.

i) Caterpillar Parts & Service - Dennis aRusso reported that on April 26, 2004, the Corporation issued an IFB for the supply and delivery of Caterpillar parts and service. A contract was awarded to Southworth-Milton for the period July 1, 2004 to June 30, 2005 with an option to renew the contract under the same terms and conditions for two additional one year periods. ON April 29, 2005 the Board of Commissioners approved the renewal of the contract for the first renewal term for the period July 1, 2005 to June 30, 2006. Based on the continued satisfactory performance of Southworth-Milton, the fact that the vendor's rates remain competitive and the vendor's willingness to renew the contract under the same terms and conditions it was recommended that the second and final term be entered.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A RENEWAL AGREEMENT FOR THE

SUPPLY AND DELIVERY OF CATERPILLAR PARTS AND SERVICE (IFB NO. 678) BETWEEN RHODE ISLAND RESOURCE CORPORATION AND SOUTHWORTH MILTON, INC. OF MILFORD, MA FOR AN AMOUNT NOT TO EXCEED \$450,000.00. THE RENEWAL TERMS SHALL BEGIN JULY 1, 2006 AND CONTINUE UNTIL NO LATER THAN JUNE 30, 2007.

Michael Salvadore seconded the motion which passed unanimously.

k) Temporary Labor Services – Dennis aRusso reported that the Corporation issued an IFB for temporary labor services on June 20, 2005. A contract was awarded to Employment 2000 of Providence, RI for the period from July 1, 2005 to June 30, 2006 with an option to renew under the same terms and conditions for two additional one year periods. Based on the satisfactory performance of Employment 2000, and the vendor's willingness to renew the contract under the same terms and conditions it was requested that the Board approve the renewal term for the period July 1, 2006 to June 30, 2007.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A RENEWAL AGREEMENT BETWEEN THE RHODE ISLAND RESOURCE RECOVERY CORPORATION AND

EMPLOYMENT 2000 OF PROVIDENCE, RHODE ISLAND FOR AN AMOUNT NOT TO EXCEED \$213,000.00. THE RENEWAL TERM SHALL BEGIN JULY 1, 2006 AND CONTINUE UNTIL NO LATER THAN JUNE 30, 2007.

I) Utility Vehicle – Dennis aRusso reported that bids were solicited on January 5, 2006 for the supply and delivery of one new utility vehicle. This procurement appeared in the Providence Journal and was placed on the State's electronic bulletin board. The original contract was awarded to Paul Masse Chevrolet but they have since rescinded their bid. Following an evaluation of the bids received and based upon the second lowest responsive and responsible bidder, the Staff evaluation Committee recommends awarding the contract to Liberty Chevrolet of Wakefield, MA.

Scott Avedisian made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SUPPLY AND DELIVERY OF ONE NEW 2006 CHEVROLET SILVERADO LS BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND LIBERTY CHEVROLET OF WAKEFIELD, MAFOR AN AMOUNT NOT TO EXCEED \$20,545.00.

Jerry Williams seconded the motion which passed unanimously.

m) Construction Tires – Dennis aRusso reported that bids were solicited on February 21, 2006 for the supply, delivery, and installation of six 875 65xR29 and four 20.5R25 construction tires. This procurement appeared in the Providence Journal and was placed on the State's electronic bulletin board. The invitation was mailed to 9 vendors. A public bid opening was held on March 14, 2006. There were two responses. Following an evaluation of the bids received and based upon the lowest responsible and responsible bidder, the staff evaluation committee recommends awarding the contract to Sullivan tire.

Jerry Williams made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SUPPLY, DELIVERY, AND INSTALLATION OF SIX 875 65 X R 29 AND FOUR 29.5R25 CONSTRUCTION TIRES BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND SULLIVAN TIRE COMPANY INC. OF NORWELL, MA FOR AN AMOUNT NOT TO EXCEED \$93,250.00.

Scott Avedisian seconded the motion which passed unanimously.

n) Analytical Testing - Bill Anderson reported that and RFQ/RFP was

issued for the procurement of Analytical Testing Services from a State of Rhode Island certified laboratory. The qualified laboratory would provide analysis of the designated samples described in the Corporation's Environmental Monitoring Plan as required by the Rhode Island Department of Environmental Management. Notice of procurement was published in the Providence Journal and the RIVIP. A pre-proposal conference was attended by five firms. Thirteen firms received an RFQ/RFP. Three proposals were received on January 23, After careful review of the experience, expertise, and 2006. qualifications demonstrated by each firm, an evaluation of the technical proposal and consideration of the price offered by each firm, the evaluation committee, which consisted of Corporation and CDM staff members, recommends to the Board of Commissioner to enter into a contractual agreement with Mitkem Corp. of Warwick, RI to perform all of the analytical testing.

Scott Avedisian made the following motion:

BE IT RESOLVED THAT BASED ON THE RECOMMENDATION OF THE STAFF EVALUATION COMMITTEE THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A ONE YEAR CONTRACTUAL AGREEMENT FOR ANALYTICAL TESTING SERVICES WITH MITKEM CORPORATION, INC. OF WARWICK, RI FOR AN AMOUNT NOT TO EXCEED \$139,000.00. ADDITIONALLY THIS CONTRACT SHALL INCLUDE A \$120,000.00 CONTINGENCY IN THE EVENT THAT EPA OR

RIDEM REQUIRE ASSESSMENT COMPLIANCE MONITORING, TO BE UTILIZED ONLY WITH PRIOR APPROVAL BY THE EXECUTIVE DIRECTOR. THE CONTRACT WILL COMMENCE UPON CONTRACT EXECUTION AND EXPIRE ON MARCH 31, 2007, AND MAY BE RENEWED UNDER THE SAME TERMS AND CONDITIONS FOR TWO ADDITIONAL ONE-YEAR PERIODS.

Michael Salvadore seconded the motion which passed unanimously.

o) Mattress Removal and Recycling – John Trevor reported that the Corporation solicited bids for the removal and recycling of mattresses and box springs from the Corporation's facility. Notice of solicitation appeared in the Providence Journal and was placed on the State's electronic bulletin board. The invitation for bids was mailed to four vendors. A public bid opening was held on March 2, 2006. Three responses were received. An evaluation of the bids received was conducted and based upon the responsive and responsible bids, the staff evaluation committee recommends awarding the contract to Miller Recycling.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTUAL AGREEMENT WITH MILLER RECYCLING CORPORATION FOR THE

REMOVAL AND RECYCLING OF MATTRESSES AND BOX SPRINGS FOR AN AMOUNT NOT TO EXCEED \$100,000.00. THE CONTRACT WILL COMMENCE ON OR ABOUT APRIL 1,2 006, AND CONTINUE UNTIL MARCH 31, 2007, WITH AN OPTION TO RENEW THE CONTRACT AT THAT TIME UNDER THE SAME TERMS AND CONDITIONS FOR UP TO TWO ADDITIONAL ONE YEAR PERIODS.

Jerry Williams seconded the motion which passed unanimously.

p) Solid Waste Consulting Services - John Trevor reported that on January 18, 2006 the Corporation issued RFQ/RFP No. 857 for solid waste consulting services. The issuance of this RFP was in response to a request for assistance from the municipalities of South **Narragansett** with analysis. Kingstown and planning and implementation of curbside solid waste recycling collection programs that incorporate unite based pricing. The selected respondent will be asked to perform a thorough analysis of the potential collection option municipalities make for the and then program recommendations for implementation of the selected system or program. The solicitation appeared in the Providence Journal and notice was placed on the State's electronic bulletin board. The RFQ/RFP was mailed to 29 firms. A pre-proposal conference was held on February 1, 2006. A six-person evaluation committee comprised of RIRRC staff and representatives from the two Towns reviewed the proposals. Based on the qualifications, experience, competitive pricing and the quality of their proposal, the committee recommends

awarding this contract to Merritt Communications, Inc.

Jerry Williams made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTUAL AGREEMENT WITH MERRITT CONSULTING INC. FOR RFP NO. 857 FOR SOLID WASTE CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$52,780.00. THE CONTRACT WILL COMMENCE ON OR ABOUT MAY 1, 2006 AND CONTINUE UNTIL JUNE 30, 2007.

Scott Avedisian seconded the motion which passed unanimously.

Contract Renewals

- a) Pension Fund Manager This matter was referred to the Finance Subcommittee.
- b) Household Hazardous Waste Collection Facility Operations and Disposal Joe Rotella reported that a contract was awarded to Clean Harbors Environmental Services of Braintree, Ma for the period of July 1, 2004 to June 30, 2005. the terms of the original contract included an option to renew the contract for two additional one-year periods under the same terms and conditions. On May 26, 2005 the Board of Commissioners approved the renewal of the contract for the

first renewal term for the period July 1, 2005 to June 30, 2006. Based on the continued satisfactory performance of Clean Harbors Environmental Services, the fact that the vendor's rates remain competitive and the vendor's willingness to renew the contract under the same terms and conditions, it was recommended that the final term be entered.

Michael Salvadore made the following motion:

BOARD OF COMMISSIONERS RESOLVED THAT THE BE **AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE** DIRECTOR TO EXERCISE THE OPTION TO RENEW RFQ/RFP N. 836 -WASTE COLLECTION HOUSEHOLD HAZARDOUS **FACILITY** OPERATIONS AND DISPOSAL, BETWEEN THE RHODE ISLAND RESOURCE RECOVERY CORPORATION AND CLEAN HARBORS ENVIRONMENTAL SERVICES OF BRAINTREE, MA FOR AN AMOUNT NOT TO EXCEED \$450,000.00. THE RENEWAL TERM SHALL BEGIN ON JULY 1, 2006 AND CONTINUE UNTIL NO LATER THAN JUNE 30, 2007.

Scott Avedisian seconded the motion which passed unanimously.

b) Contract Increase Household Hazardous Waste Collection Facility Operations and Disposal - Joe Rotella reported that the Corporation has had numerous requests to expand the number of satellite collections throughout the State of RI for our Eco-depot, Household

Hazardous waste drop-off. Due to these requests, the Corporation has added several unbudgeted dates to our schedule. In FY 2006 the Corporation has 6 Johnston collections and 6 Satellite location drop-offs remaining. The cost of these collections will exceed the original purchase order by approximately \$100,000.00.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO INCREASE THE CONTRACTUAL AMOUNT FOR CLEAN HARBORS ENVIRONMENTAL SERVICES TO PROVIDE HOUSEHOLD HAZARDOUS WASTE DISPOSAL BY \$100,000 FOR A TOTAL AMENDED CONTRACT PRICE OF \$450,000.

Ken Aurecchia seconded the motion which passed unanimously.

Contract Closeout/Increase

a) Phase II/III Area 2 Landfill Cap Construction – Bill Anderson reported that J.H. Lynch has completed the Phase II/III Area 2 Cap construction within their originally proposed work schedule. The project was originally delayed on our part in an effort to allow landfilling to continue on the top of Phase IV with the use of the back haul ramp. In addition landfilling at the Phase II/III/IV interface was ongoing to reach proposed subgrade elevations. The limits

anticipated for waste placement along the interface were not met and resulted in an additional use of common borrow to achieve sub grade elevations. On December 28, 2005, this request was reviewed in detail with the finance Subcommittee. Base don their review a recommendation was made to bring the contract increase to the full Board for approval.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO FINALIZE THE CONTRACTUAL AMOUNT FOR THE PHASE II/III AREA 2 LANDFILL CAP CONSTRUCTION, DATED NOVEMBER 4, 2004 WITH J.H. LYNCH & SONS, INC. OF CUMBERLAND, RI FOR AN INCREASE OF \$176,795.50 FOR A TOTAL AMENDED CONTRACT PRICE OF \$1,443,645.50.

Ken Aurecchia seconded the motion which passed unanimously.

6. Finance Subcommittee Recommendation of Litigation Settlement with TAMS/Earth Tech – Sherry Mulhearn stated that after review with the Finance Subcommittee she was seeking to execute a Settlement and Release Agreement.

Michael Salvadore made the following motion:

WHEREAS, ON DECEMBER 2, 2005, EARTHTECH INC. THE SUCCESSOR IN INTEREST TO TAMS ISSUED A DEMAND LETTER FOR PAYMENT PURSUANT TO A TAMS CONTRACT AMENDMENT DATED MAY 31, 2000: WHEREAS, THE FULL CLAIM AMOUNT **EQUALED \$477,500.00 FOR ADDITIONAL DESIGN FEES AND COSTS** ASSOCIATED WITH THE RIRRC TIPPING FACILITY; WHEREAS, THE FINANCE SUBCOMMITTEE MET AND REVIEWED SUCH DEMAND ON DECEMBER 28, 2005 AND INVITED EARTH TECH OFFICIALS TO ATTEND A NEGOTIATING SESSION; WHEREAS, THE FINANCE SUBCOMMITTEE MET WITH THE EARTH TECH OFFICIALS AND ATTORNEY TO NEGOTIATE A SETTLEMENT PRIOR TO THE COMMENCEMENT OF LITIGATION: AS A RESULT OF THE NEGOTIATED SESSION THE FINANCE SUBCOMMITTEE REACHED AN AGREEMENT EQUALING \$290,000; AN EXECUTED SETTLEMENT RELEASE AGREEMENT HAS BEEN PREPARED AND AND FORWARDED BY EARTH TECH INC., A COPY OF WHICH HAS BEEN TODAY: THEREFORE, THIS PRESENTED **BOARD** OF COMMISSIONERS HEREBY AUTHORIZES THE CHAIRMAN AND CEO AND/OR THE EXECUTIVE DIRECTOR TO EXECUTE THE SETTLEMENT AND RELEASE AGREEMENT AS PRESENTED.

Jerry Williams seconded the motion which passed unanimous.

7. Grant Approvals

a) Blackstone Valley ARC Sort Program - Michael Mesolella reported

that in 1998 the Blackstone Valley ARC Chapter initiated the SORT Program through the support of the RIDEM. The SORT Program center in Pawtucket offers recycling collection service to small businesses, schools and other agencies in the recycling of paper, aluminum cans, plastic and cardboard. This proposal requests continuing support of the SORT Program to enable them to expand their base of customers, specifically local schools that contact RIRRC and want to start recycling but cannot afford collection services. The funds requested will continue to offset the expenses of the program and enable it to continue with its current base of customers as well as expanding it.

Scott Avedisian made the following motion:

WHEREAS, THE SUPPORT FOR INITIATIVES BY MUNICIPALITIES AND NONPROFIT ORGANIZATIONS THAT ENHANCE AND PROMOTE RECYCLING, ENVIRONMENTAL EDUCATION AND THE DIVERSION OF MATERIALS FROM DISPOSAL IS A PRIORITY FOR THE STATE OF RHODE ISLAND AND THE RHODE ISLAND RESOURCE RECOVERY CORPORATION, THEREFORE; BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND'/OR THE EXECUTIVE DIRECTOR TO AWARD GRANTS TO SUPPORT RECYCLING AND WASTE DIVERSION TO BLACKSTONE VALLEY ARCH CHAPTER SORT PROGRAM FOR \$30,000. PAYMENT OF GRANT WILL BE CONTINGENT ON THE COMMITMENT AND ADHERENCE TO THE PROGRAMS' AND THEIR REQUIREMENTS AS

SET FORTH BY RIRRC.

Ken Aurecchia seconded the motion which passed unanimously.

b) WaterFire Season Sponsorship – Mike Mesolella reported that In WaterFire's 2000 season the Corporation began working together to increase recycling at WaterFire event nights. This collaboration continued during WaterFire's 2001, 2002, 2003 and 2004 season. In addition, in 2005 the Corporation had become a season sponsor with all the entitled benefits. With the assistance of RIRRC, WaterFire proposes to promote recycling efforts by strategically placing recycling containers throughout WaterPlace Park, collaborating with other non-profit organizations such as Groundwork Providence, the Boy Scouts, and the Girl Scouts so that we can educate the audience in general.

Ken Aurecchia made the following motion:

WHEREAS, THE SUPPORT FOR INITIATIVES BY MUNICIPALITIES AND NONPROFIT ORGANIZATIONS THAT ENHANCE AND PROMOTE RECYCLING ENVIRONMENTAL EDUCATION AND THE DIVERSION OF MATERIALS FROM DISPOSAL IS A PRIORITY FOR THE STATE OF RHODE ISLAND AND THE RESOURCE RECOVERY CORPORATION, THEREFORE; BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO AWARD GRANTS TO

SUPPORT RECYCLING AND WASTE DIVERSION TO WATERFIRE PROVIDENCE FOR \$30,000. PAYMENT OF GRANT WILL BE CONTINGENT ON THE COMMITMENT AND ADHERENCE TO THE PROGRAMS; AND THEIR REQUIREMENTS AS SET FORTH BY RIRRC.

Jerry Williams seconded the motion which passed unanimously.

8. Recycling Grant – Central Falls – John Trevor reported that Central Falls has made considerable efforts and has been extremely effective in improving their recycling rate and solid waste programs. From FY 2004 to FY 2005, they increased their recycling rate from approximately 7% to over 14% the greatest improvement by any municipality by orders of magnitude. For that the city received RIRRC's grant for the "most improved MRF rate" in FY2005. The City is now on the cusp of becoming the first RI municipality to implement a curbside Pay-as-you-throw program. RIRRC staff have been promoting and advocating PAYT to the states municipalities as an incentive to residents to increase their recycling rates. For the last year the Corporation has been assisting Central Falls in this endeavor for which the implementation of PAYT represents the next step in enhancing their municipal solid waste program and improvement of their recycling rate.

Jerry Williams made the following motion:

WHEREAS, THE SUPPORT FOR INITIATIVES BY THE STATE'S

MUNICIPALITIES THAT INCREASE WASTE REDUCTION, RECYCLING, AND THE DIVERSION OF MATERIALS FROM DISPOSAL IS A PRIORITY FOR THE RHODE ISLAND RESOURCE RECOVERY CORPORATION THEREFORE; BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO AWARD A GRANT IN THE AMOUNT OF \$95,000 TO FUND THE IMPLEMENTATION OF "PAY-AS-YOU-THROW" TO THE CITY OF CENTRAL FALLS. PAYMENT OF THE GRANT WILL BE CONTINGENT ON THE CITY'S COMMITMENT TO THE SUCCESSFUL IMPLEMENTATION OF A "PAY-AS-YOU-THROW" PROGRAM IN CALENDAR YEAR 2006.

Michael Salvadore seconded the motion which passed unanimously.

9. Hirings – Jim Allam reported that the Corporation was seeking to fill the positions of Administrative Assistant, Budget Finance Officer, Electrician and 2 Laborers.

Michael Salvadore made the following motion:

WHEREAS, ON MAY 21, 1997, THE BOARD OF COMMISSIONERS ADOPTED A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO HIRE, TO TERMINATE, AND TO ESTABLISH COMPENSATION FOR EMPLOYEES OF THE CORPORATION; WHEREAS, THE EXECUTIVE DIRECTOR'S HIRING'S ARE TO BE REVIEWED AND APPROVED BY THE CHAIRMAN AND CEO AND

RATIFIED BY THE BOARD; WHEREAS, AN ADVERTISEMENT WAS PLACED IN THE PROVIDENCE JOURNAL FOR THE POSITIONS OF ASSISTANT, BUDGET ADMINISTRATIVE **FINANCE** OFFICER. **ELECTRICIAN AND LABORERS. A COPY OF THE ADVERTISEMENTS** HAS BEEN DISTRIBUTED TO THE BOARD OF COMMISSIONERS. AFTER A THOROUGH REVIEW OF ALL APPLICATIONS SUBMITTED FOR THE POSITIONS INTERVIEWS WERE HELD; WHEREAS, THE CHAIRMAN HAS APPROVED THE SELECTION OF THE NAMED INDIVIDUALS; THEREFORE, THIS BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO EXTEND AN OFFER OF EMPLOYMENT TO THE RECOMMENDED INDIVIDUALS WHICH WILL BE SUBJECT TO HIS SATISFACTORILY PASSING A PRE-EMPLOYMENT PHYSICAL AND A BACKGROUND CHECK.

Ken Aurecchia seconded the motion which passed unanimously.

10. Mining Organics – Sherry Mulhearn reported that Mining Organics Management, Inc. is seeking to develop, construct, operate and maintain an organic fertilizer manufacturing facility using source separated organic waste as feedstock. The Corporation's role shall be under a mutually acceptable contract it will lease land to Mining Organics so that they can construct and operate a facility.

Scott Avedisian made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS HEREBY

AUTHORIZE THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT CONSISTENT WITH THE TERMS AND CONDITIONS AS OUTLINED IN THE PROPOSED TERM SHEET PRESENTED AND DISCUSSED WITH THE BOARD TODAY FOR THE DEVELOPMENT AND CONSTRUCTION OF A FOOD WASTE COMPOSTING FACILITY UTILIZING THE IBR TECHNOLOGY. THIS CONTRACT WILL COME BACK TO THE FULL BOARD FOR FINAL EXECUTION.

Michael Salvadore seconded the motion which passed unanimously.

11. Unison Site – This matter was deferred to the Finance Subcommittee.

12. Other Business

a) Central Falls Detention Facility Corporation – Contaminated Soils Request – Fred Vincent stated that in 2005 Central Falls Detention Facility Corporation began a major expansion of the Donald W. Wyatt Detention facility located in a designated Enterprise zone at 950 High Street. There is approximately 10,000 tons of fill material from the main construction site. This fill material consists of residual soil, brick, and asphalt that had underlain the Wyatt facility.

Scott Avedisian made the following motion:

WHEREAS. THE CITY OF CENTRAL FALLS HAS REQUESTED ASSISTANCE FROM RIRRC TO ENABLE EXCAVATED MATERIAL FROM THE CONSTRUCTION OF THE CENTRAL FALLS DETENTION FACILITY EXPANSION TO BE RECEIVED AT THE CENTRAL LANDFILL; WHEREAS, THE RIDEM HAS INDICATED THAT RIRRC MAY USE THE EXCAVATED MATERIALS WITHOUT ANY ADDITIONAL APPROVALS OR REVIEW BY RIDEM; WHEREAS, RIRRC STAFF AND ENVIRONMENTAL CONSULTANT HAVE RECEIVED ANALYTICAL DATA RELATED TO THE SUBJECT MATERIAL: WHEREAS, THIS MATERIAL QUALIFIES AS NON-HAZARDOUS, PROCESSED CONTAMINATED SOIL; WHEREAS, THE STAFF RECOMMENDS THE MATERIAL IS SUITABLE FOR UTILIZATION IN CURRENT CAPPING AND FILLING ACTIVITIES WHICH ARE ONGOING: WHEREAS, ANY COSTS SAVINGS DERIVED BY PREFERRED PRICING EXTENDED BY RIRRC WILL BE REALIZED BY THE CITY OF CENTRAL FALLS: THEREFORE AND CONSIDERATION THEREOF, THIS BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO INDICATE ACCEPTANCE OF THE SUBJECT MATERIAL AT A RATE OF \$15.00 PER TON.

Ken Aurecchia seconded the motion which passed unanimously.

b) RI Builders Association – Grant request- This matter was deferred to the Finance Subcommittee.

c) Contract Request CSW – Joe Judge reported that EZ Disposal Service, Inc. has requested that the Board consider his application for a CSW Disposal Agreement.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE CORPORATION ENTER INTO A COMMERCIAL SOLID WASTE DISPOSAL AGREEMENT WITH EZ SERVICE, DISPOSAL INC. SUBJECT TO THIS COMPANY SUBMITTING A CERTIFICATE OF GOOD STANDING FROM THE SECRETARY OF SATE AND PROPER **INSURANCE** DOCUMENTATION.

Jerry Williams seconded the motion which passed unanimously.

d) Contract Increase OU1 – Bill Anderson reported that following a meeting with Louis Berger on April 4, 2006, the cap surface information was exchanged by both parties. The Corporation received the pre and post survey data as submitted by J.H. Lynch for payment request. After a review of all the data, the original bid estimates as presented by Louis Berger were in fact accurate based on the existing survey information presented to LBA by the Corporation for the bid documents. What at first was thought to be an issue in the volume computations was in fact an error in the 3D surface model for the Area 6 Cap. When adjustments were made from the final cap grades as proposed by BA to adjust for the actual cap section, the

error was created in the surface. Once the 3D surface was corrected, the volumes were close to those presented in the original bid documents.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE RELEASE OF PAYMENT DUE TO LOUIS BERGER AS PREVIOUSLY SUSPENDED BY THE BOARD.

Michael Salvadore seconded the motion which passed unanimously.

12. Executive Session

Michael Salvadore made the following motion at 1:45 p.m.

THAT BY A ROLL CALL VOTE, CALLED BY THE GENERAL COUNSEL, THIS BOARD OF COMMISSIONERS SHALL GO INTO EXECUTIVE SESSION, CLOSED TO THE PUBLIC IN CONFORMANCE WITH RI GENERAL LAWS SECTION 42-46-4, UPON AN AFFIRMATIVE VOTE OF THE BOARD'S MAJORITY. IN CONFORMANCE WITH RI GENERAL LAWS SECTION 42-46-5, THIS BOARD'S VOTE TO HOLD THIS PORTION OF THE MEETING CLOSED TO THE PUBLIC IS FOR THE FOLLOWING PURPOSES:

(A) (1) PERSONNEL THE EXECUTIVE DIRECTOR WAS NOTIFIED OF

THIS DISCUSSION

- (A) (2) LITIGATION
- (A) (5) ACQUISITION OR DISPOSITION OF REAL PROPERTY
- (A) (6) PROSPECT BUSINESS INTERESTED IN LOCATION IN RHODE ISLAND

Jerry Williams seconded the motion which passed unanimously.

Michael Salvadore made the following motion at 2:35 p.m.

THAT THE MINUTES OF THE EXECUTIVE SESSION BE SEALED INDEFINITELY OR WHERE APPROPRIATE UNTIL ALL MATTERS DISCUSSED ARE RESOLVED.

Jerry Williams seconded the motion which passed unanimously.

13. Ridgewood Relocation Proposal – Randy Holmes, President of Ridgewood Power addressed the Board on the current situation with Ridgewood Power. Sherry Mulhearn suggested that she and Claude Cote and Jerry Williams met with Mr. Holmes to further negotiate a contract and bring it back to the full Board for their approval.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR WORKING WITH JERRY

WILLIAMS TO NEGOTIATE A CONTRACT FOR THE POWER PLANT RELOCATION GENERALLY CONSISTENT WITH THE CURRENT PROPOSAL BY THE NEXT REGULARLY SCHEDULED MEETING.

Ken Aurecchia seconded the motion which passed unanimously.

14. Ratification of Purchase & Sales Agreement – Sherry Mulhearn reported that the Corporation has entered into a Purchase & Sales Agreement with Scannel Properties.

Jerry Williams made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS HEREBY RATIFIES THE EXECUTION OF THAT CERTAIN PURCHASE AND SALES AGREEMENT BETWEEN RIRRC AND SCANNEL PROPERTIES NO. 58 LLC OF INDIANA FOR 22 ACRES IN THE INDUSTRIAL PARK SOUTH FOR THE CONSTRUCTION OF A FEDERAL EXPRESS GROUND TRANSPORTATION FACILITY.

Scott Avedisian seconded the motion which passed unanimously.

15. Adjourn

Michael Salvadore made a motion to adjourn at 2:50 p.m. Jerry

illiams seconded the motion which passed unanimously	/-
Sincerely,	
Sherry Mulhearn	

Executive Director